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SIPDIS

SENSITIVE

DEPARTMENT FOR WHA/CAR (BENT) AND WHA/PPC (PUCETTI)
DEPARTMENT FOR G/TIP (OWEN) AND (ETERNO)
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SUBJECT: GOJ OFFERS MIXED RESPONSE ON TIP, CONCERNED ABOUT SANCTIONS

REF: A. STATE 97853
B. KINGSTON 01041

SUMMARY

¶11. (SBU) On May 31 and June 2, emboffs met with GOJ officials to discuss the imminent release, on June 3, of the 2005 Trafficking in Persons (TIP) Report. The different meetings yielded varying responses. On May 31, Charge met with National Security Minister Peter Phillips at the Minister's request. Phillips and other GOJ attendees sought clarification of the USG's definition of trafficking, lamented a lack of involvement in Post's TIP report preparations, and expressed concern at the possibility of Tier 3 sanctions. Charge responded with details of the trafficking issue that should already have been clear to the GOJ participants based on repeated previous communications from Post. On June 2, the eve of the public release of the TIP Report, poloff met with Pamela Ingleton at the Ministry of Foreign Affairs and Foreign Trade (MFAFT) to deliver Ref A talking points, Tier 3 Action Plan, and the Jamaica country narrative of the 2005 TIP Report. Ingleton, who has a thorough understanding of the issue and the Department's TIP reporting process, was not surprised by the news that Jamaica was downgraded to Tier 3. End Summary.

NATIONAL SECURITY MINISTER CONCERNED ABOUT SANCTIONS

¶12. (SBU) Early on May 31, Charge, accompanied by P/E Chief, met with National Security Minister Peter Phillips at the Minister's request to discuss the imminent release of the Trafficking in Persons report. Phillips was joined by Ministry of National Security (MNS) Permanent Secretary Gil Scott, Immigration/Passport Director Carol Charlton, and Woodrow Smith, MNS Principal Director for Security, Intelligence, and Operations.

¶13. (SBU) Phillips began by noting Embassy TIP consultations with numerous GOJ ministries and agencies. He said that the GOJ did not wish to ignore the trafficking issue, but professed to be unclear about the existence of "trafficking across our borders." Phillips also expressed concern that a downgrade of Jamaica to Tier 3 could endanger USG security assistance badly needed by the Jamaica Defense Force and the Jamaica Constabulary Force. He and Scott wondered aloud why MNS had not been consulted in the preparation of the TIP report. Like Phillips, Charlton professed to be unaware of a trafficking issue across Jamaica's borders, and she and Scott said that they found confusing the USG's definition of "trafficking" as used in the TIP report.

¶14. (SBU) Charge replied to the Minister by noting that trafficking in persons need not involve the crossing of borders; typically, it involved the recruitment, transportation, deception, coercion, and/or exploitation of individuals, including minors, for labor or for sex. He emphasized the USG's interest in working with the GOJ to address the trafficking problem, and cited the formation of the GOJ National Task Force (Ref B) as a positive step. Charge said that a Department team would visit Jamaica in July to assess progress on anti-trafficking issues and to meet with GOJ officials and NGOs. Phillips and Scott said they welcomed the opportunity to meet with the team. Because the meeting took place more than 24 hours before the Washington release of the TIP Report, Charge did not inform Phillips of the downgrade to Tier 3, nor did he provide an embargoed copy of the country narrative.

¶15. (SBU) P/E Chief reminded Scott that he had discussed trafficking with Scott, Smith, and Charlton in that very room in August 2004; that Scott had said during that meeting that he would soon provide an official letter describing the GOJ response to the 2004 TIP report; that emboffs had followed up numerous times (including in writing to MNS) seeking MNS input to take into account in preparing the 2005 TIP Report;

and that MNS had never provided the promised information. He briefly outlined the Embassy's extensive consultations over many months with the Ministry of Foreign Affairs and Foreign Trade (MFAFT), and USAID Mission Director's engagement of senior Finance Ministry officials) including the Finance Minister himself) about TIP. P/E Chief handed Phillips a copy of recent articles in the Jamaican press reporting the existence of TIP in Jamaica, noting that trafficking problems affect many countries) including the U.S. He cited a recent case in New Hampshire in which Amcit employers had abused Jamaican seasonal workers, a case which involved elements of TIP. The Amcits, he said, were arrested, convicted and were serving prison sentences for their crimes.

¶ 16. (U) At Smith's request, P/E Chief agreed to send him a copy of the Trafficking Victims Protection Act (TVPA) of ¶ 2000. Post included a copy of TVPA, along with the 2003 amendment, in a packet containing the 2005 TIP report and Ref A talking points that we provided to Phillips on June 2.

FOREIGN MINISTRY TAKES DOWNGRADE IN STRIDE

¶ 17. (SBU) On June 2, poloff met with Pamela Ingleton at the Ministry of Foreign Affairs and Foreign Trade (MFAFT) to deliver the Jamaica country narrative of the 2005 TIP Report, Ref A talking points, and suggested Action Plan. Poloff added that a Department team would visit Jamaica in July to meet with government and NGO representatives, and that the GOJ should be prepared to discuss its progress toward fighting TIP at that time. Ingleton, who has responsibility for the MFAFT's TIP portfolio, accepted the Tier 3 rating as the consequences of an administration that, while it has always cared deeply about the exploitation of its women and children, has only recently begun to take significant steps toward combating the problem. She added that she is pleased with the GOJ's recent efforts to address trafficking and hopes to make significant progress in coming months.

¶ 18. (SBU) Ingleton took the opportunity to explain that the GOJ's National Task Force on TIP, created in April (Ref B), has held two meetings since its formation, and has spun off specialized subcommittees in an effort to act quickly on the matter. The Ministry of National Security has been designated the national authority on TIP, and is coordinating the efforts of the Task Force, which also includes representatives from the Immigration Department, the Child Development Agency, the Ministry of Health, the Ministry of Development, the Cabinet Office, the Attorney General's Office, the Bureau of Women's Affairs, the Ministry of Industry & Tourism, the Jamaica Information Service, and the MFAFT. Ingleton added that the Task Force is now preparing to engage NGOs to assist in the fight against TIP, and that poloff would also be invited to participate. When asked, she agreed to prepare for poloff a written record of the Task Force's activities to date.

¶ 19. (SBU) Near the end of the meeting, Ingleton was called briefly from the room by her supervisor, Sheila Sealy-Monteith, Director of the Caribbean and Americas Department at MFAFT and ambassador-designate to Mexico. When she returned, Ingleton explained that the Task Force was preparing a response to the TIP Report for Jamaica's Ambassador to Washington, Gordon Shirley, and that Prime Minister Patterson wished to clear on the document before it was sent. Ingleton explained that the Prime Minister had recently taken an interest in the issue, and that his involvement had prompted much urgency within the Task Force. She cited as another positive development the publication in the June 2 issue of the Jamaica Observer of an article titled "Report child abuse or face prosecution." Ingleton explained that the article, which highlighted a series of seminars to educate the public on the year-old Child Care and Protection Act, was published by the Jamaica Information Service and was run without charge by the newspaper as a public service announcement.

MIXED PUBLIC REACTION TO TIER 3 DOWNGRADE

¶ 10. (SBU) On the afternoon of June 3, Jamaica's downgrade to Tier 3 was featured heavily on the country's popular evening radio programs, with emboffs participating in telephone interviews. Most programs sought clarification of the term trafficking, and all expressed concern over the associated implications of a Tier 3 rating. Weekend newspapers similarly focused on "heavy U.S. sanctions" faced by the GOJ, but generally represented the contents and findings of the report accurately. The first GOJ officials to respond publicly to the report were Minister of Health John Junor and Minister of Information Burchell Whiteman. Junor was quoted on radio and in newspapers as saying that there is "no tangible evidence" of trafficking and that the Tier 3 ranking is unwarranted. Whiteman appeared surprised but less

defensive, suggesting that the downgrade to Tier 3 may have resulted from a "difference in terms of reference," and pointing out that there has been a recent increase in convictions for cases of sexual abuse. Representatives of local NGOs also provided comment to the news media. Betty Ann Blaine, director of People's Action for Community Transformation (PACT), a USAID-funded local NGO, expressed disappointment that this year's tier rating did not reflect her organization's efforts to combat TIP. However, she generally supported the report's findings, pointing out that, one year after the passage of the Child Care and Protection Act, "most Jamaicans (know) nothing about human trafficking."

¶11. (SBU) On June 5, local newspapers reported that the Ministry of National Security issued a statement on behalf of the GOJ that called the 2005 Report "unfair" and "highly prejudicial because it negates the significant actions taken by the Government over the last several months to combat this problem locally." The statement added that "there is no record of these cases being reported to any law enforcement agency in Jamaica," and went on to request that the USG provide additional details of alleged trafficking cases as a first step toward working together on the issue. While apparently denying the problem, the GOJ also stated that "we believe it is extremely important to eradicate and punish those who may be profiting from the unlawful trade of persons, as well as from any other form of exploitation of individuals." The statement added that the GOJ has taken steps to combat trafficking in recent months, including the formation of a national task force, which has proposed a number of anti-trafficking measures.

COMMENT

¶12. (SBU) Charge's meeting with Phillips had positive and negative aspects. Despite extensive Embassy engagement with senior MNS officials, with MFAFT's proactive TIP action officer, and with others, Phillips clearly had been poorly briefed by his staff on the trafficking issue. Scott, Smith, and Charlton were somewhat disingenuous in claiming confusion about the trafficking definition. We have discussed it with them previously, and we waited in vain for them to respond to our repeated requests to receive their response to the 2004 TIP Report. On the positive side, if nothing else Phillips's genuine concern at what Jamaica stands to lose in terms of assistance should ensure that he will throw his ministerial weight behind GOJ efforts to address the TIP Action Plan.

¶13. (SBU) Poloff's meeting with Ingleton, and her contrasting response to the downgrade, highlights what appears to be poor coordination between GOJ agencies on this issue. As a result, despite the GOJ's understanding of and commitment to combating trafficking at an official level, the public response to the June 3 release of the TIP Report was predictably inconsistent and somewhat paradoxical. It is no surprise, however, that senior GOJ officials publicly defended Jamaica's record and demanded "tangible evidence" of a trafficking problem in Jamaica, while the GOJ simultaneously professed concern for trafficking victims and cited actions that have and will be taken to combat the problem locally. There remains a clear need to raise the awareness of human trafficking on Jamaica's national agenda.
End Comment.

ROBINSON